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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: DA VINCI SURGICAL
ROBOT ANTITRUST LITIGATION

Case No.: 3:21-cv- 03825-AMO-LB

**JOINT STIPULATION AND [PROPOSED]
ORDER TO MODIFY CLASS
CERTIFICATION BRIEFING SCHEDULE**

Hearing Date: October 10, 2024
Hearing Time: 2:00pm PST
Place: Courtroom 10

Judge: The Honorable Araceli Martínez-Olguín

1 Pursuant to Local Civil Rule 6-2, Plaintiffs Larkin Community Hospital, Franciscan Alliance,
 2 Inc., and King County Public Hospital District No. 1, d/b/a Valley Medical Center and Defendant
 3 Intuitive Surgical, Inc. (collectively, the “Parties”) stipulate as follows and respectfully request that the
 4 Court endorse this stipulation with an order modifying the class certification briefing deadlines:

5 WHEREAS, on June 6, 2024, Plaintiffs filed their Motion for Class Certification (ECF No. 262)
 6 (the “Motion”) and a report from one expert;

7 WHEREAS, as a result of the originally agreed-upon date for the deposition of Plaintiffs’ expert
 8 (July 16, 2024), the Court approved the parties’ stipulation to adjust the briefing schedule (ECF No.
 9 280);

10 WHEREAS, after the Court issued its Order, Plaintiffs’ expert became sick and as a result,
 11 cannot sit for a deposition as scheduled on July 16 but believes he will be able to do so the week of July
 12 22;

13 WHEREAS, the parties have now agreed to move the deposition to July 24, and as a result of the
 14 new timing of the deposition, Intuitive asked Plaintiffs for, and Plaintiffs have agreed, to a three-day
 15 extension to the current deadline for Intuitive to file its Opposition to Motion for Class Certification,
 16 from July 30 to August 2;

17 WHEREAS, the Parties are not asking the Court to move the current deadline for Plaintiffs’
 18 Reply brief, September 10, 2024, or the current date, October 10, 2024, for the hearing on the Motion,
 19 and thus granting this modification should not affect the overall schedule for the case;

20 WHEREAS, this is the second extension requested by any party since the Court set the briefing
 21 schedule after ruling on the summary judgment motions. *See* Dkt. Nos. 235, 280;

22 WHEREAS, Plaintiffs and Intuitive have agreed, subject to the Court’s approval, to the
 23 following schedule for the Opposition and Reply briefs on the Motion:

Event	Proposed Date
Intuitive’s Opposition	August 2, 2024
Plaintiffs’ Reply	September 10, 2024

24 NOW THEREFORE, Plaintiffs and Intuitive respectfully request that the Court enter the
 25 proposed briefing schedule set forth in the attached Proposed Order.
 26

1 Dated: July 15, 2024
2

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18 *Intuitive Surgical, Inc.*

[PROPOSED] ORDER

It is hereby ordered that the briefing schedule for the Opposition on Plaintiffs' Motion for Class Certification shall be modified as follows:

Event	Proposed Date
Intuitive's Opposition	August 2, 2024

It is so ordered:

Dated: July 16, 2024


Hon. Araceli Martínez-Olguín
United States District Court Judge